



Approved 20 December 2017 (SSC15.23.5)
Last Updated 04 January 2018

Keeping Children Safe Reportable Conduct Policy (Victoria)

1. INTRODUCTION

1.1 We keep children safe first and foremost because of our understanding of God's will for love and justice. The protection of children and young people is the responsibility of everyone who is employed or engaged by the Uniting Church in Australia (Victoria) ("the Uniting Church") to provide services, including its staff, officers, ministers, religious leaders, contractors and volunteers. We all share responsibility for promoting the wellbeing and safety of children, and we will do whatever is in our power to safeguard children from all forms of abuse.

1.2 We also keep children safe in response to a range of external standards and regulations. This includes the *Child Wellbeing and Safety Act 2005* (Vic) which has established a Reportable Conduct Scheme administered by the Commission for Children and Young People (the "Commission").

1.3 The Reportable Conduct Scheme provides for the reporting to the Commission of allegations of reportable conduct, or misconduct that may involve reportable conduct, committed by employees (including staff, officers, ministers, religious leaders, contractors and volunteers) of the Uniting Church.

1.4 A report may be made whether or not the conduct or misconduct is alleged to have occurred within the course of the employee's employment or engagement with the Uniting Church.

1.5 The *Child Wellbeing and Safety Act 2005* states that the head of an organisation is responsible for notifying the Commission of a reportable allegation in line with the Reportable Conduct Scheme and for investigating such allegations and providing the findings to the Commission.

2. PURPOSE

2.1 The purpose of this policy is to ensure that Uniting Church complies with its obligations under the Reportable Conduct Scheme.

2.2 The General Secretary, as head of entity, is responsible for ensuring compliance by the Uniting Church with its obligations under the Reportable Conduct Scheme. In particular, the General Secretary will ensure that the Church has in place:

- (a) a system for preventing reportable conduct by an employee of the Uniting Church within the course of his or her employment;
- (b) a system for enabling any person, including an employee of the Uniting Church, to notify the General Secretary of a reportable allegation of which the person becomes aware;
- (c) a system for enabling any person, including an employee of the Uniting Church, to notify the Commission of a reportable allegation involving the General Secretary of which the person becomes aware; and
- (d) a system for investigating and responding to a reportable allegation against an employee of the Uniting Church.

2.3 Everyone involved in the Uniting Church has a role to play to ensure children are safe and protected, and may disclose an allegation of reportable conduct involving an employee to the General Secretary or the Commission.

3. DEFINITIONS AND WORDS WITH IMPORTANT MEANINGS

3.1 The following definitions apply to this policy consistent with the provisions of the *Child Wellbeing and Safety Act 2005* (Vic) and guidance provided by the Commission¹:

child	A person who is under 18 years of age.
employee	A person of or over 18 years of age who is: (a) employed by the Uniting Church, whether or not the person is employed in connection with any work or activities of the Uniting Church that relate to children; (b) engaged by the Uniting Church to provide services, including as a volunteer, contractor, office holder or officer, whether or not the person provides services to children; (c) a minister of religion, a religious leader or an employee (within the meaning of paragraphs (a) or (b)).
head of entity	The head of an entity is the person who is primarily responsible for decision making in the organisation and may be a chief executive officer, a principal officer or someone in a similar

¹ <https://ccyp.vic.gov.au/child-safety/>

	position or fulfilling a similar role. The head of entity for Synod Vic/Tas has been defined as the General Secretary.
reasonable belief	Any belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred. A reasonable belief is more than a suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they: (a) observed the conduct themselves; (b) heard from the child that the conduct occurred; or (c) received information from another source (including another person who witnessed the reportable conduct or misconduct).
reportable allegation	Any information that leads a person to form a reasonable belief that an employee has committed: (a) reportable conduct; or (b) misconduct that may involve reportable conduct, whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.
reportable conduct	Reportable conduct means: <ul style="list-style-type: none"> (a) a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded; (b) sexual misconduct committed against, with or in the presence of, a child; (c) physical violence committed against, with or in the presence of, a child; (d) any behaviour that causes significant emotional or psychological harm to a child; or (e) significant neglect of a child.
sexual misconduct	Sexual misconduct includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.
volunteer	A person is considered a volunteer under the scheme if they are engaged by the Uniting Church. To 'engage' a volunteer means to enter into an agreement, either verbally or in writing, for a person to provide a service without that person (the volunteer) receiving financial gain. There is no minimum period for the engagement.

4. PREVENTING REPORTABLE CONDUCT FROM OCCURRING

4.1 The Uniting Church has policies and practices that take a preventative approach to keeping children safe, and for the early identification and response to risks of child abuse. Such policies and practices include the:

Keeping Children Safe Policy

Keeping Children Safe Code of Conduct.

5. PROCEDURES FOR NOTIFYING A REPORTABLE ALLEGATION

5.1 Any person who has any information that leads her/him to form a reasonable belief that an employee of the Uniting Church has committed: (a) reportable conduct; or (b) misconduct that may involve reportable conduct, is encouraged to report such information to the General Secretary. This can occur by:

- clicking on this link: <https://ucavictas.org.au/keepingchildrensafe/reportable-conduct/>
- by telephone or fax advising that the person wishes to report an allegation of reportable conduct to the General Secretary:
 - Telephone: (03) 1300 789 374
 - Facsimile: (03) 9650 7019
- by email marked **Private and Confidential – Reportable Conduct** to reportableconduct@victas.uca.org.au.
- in writing addressed to the General Secretary in a sealed envelope marked **Private and Confidential – Reportable Conduct** at:

Uniting Church in Australia
130 Little Collins Street
Melbourne Victoria 3000

5.2 If the person has information of a reportable allegation involving the General Secretary of the Uniting Church, the person may directly notify the Moderator:

- in writing addressed to the Moderator in a sealed envelope marked **Private and Confidential – Reportable Conduct** at:

Uniting Church in Australia
130 Little Collins Street

Melbourne Victoria 3000

- by telephone or fax advising that the person wishes to report an allegation of reportable conduct to the Moderator:

Telephone: (03) 1300 789 374

Facsimile: (03) 9650 7019

- 5.3 A report may also be made directly to the Commission for Children and Young People at:

Commission for Children and Young People
Level 18
570 Bourke Street
Melbourne Victoria 3000

Telephone: (03) 8601 5281

email: childsafestandards@ccyp.vic.gov.au

Document Review History

Version Number	Date	Reason	Resolution Number	Approved
RCS1	18.12.17	Legislative requirement	SSC15.23.5	General Secretary (Policy Manager – Associate General Secretary)
RCS2	04.01.18	Update on volunteer definition from CCYP	SSC15.23.5	Acting General Secretary (Policy Manager – Associate General Secretary)

Name

Role

Signature

Date